

UNITED STATES DISTRICT COURT  
District of Maine

FRONTIER COMMUNICATIONS )  
CORPORATION f/k/a CITIZENS )  
COMMUNICATIONS COMPANY, )  
 )  
Plaintiff ) Civil No. 07-113-B-S  
 )  
v. )  
 )  
BARRETT PAVING MATERIALS, )  
INC., et al, )  
 )  
Defendants )

**ORDER AFFIRMING THE  
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on August 14, 2009, her Recommended Decision (Docket No. 152). Plaintiff filed its Objection to the Recommended Decision (Docket No. 159) on August 31, 2009. Defendant CenterPoint Energy Resources Corp. filed its Response to Plaintiff's Objection to the Recommended Decision (Docket No. 163) on September 18, 2009.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.

2. It is hereby **ORDERED** that the Motion for Summary Judgment (Docket No. 113) filed by Defendant CenterPoint Energy Resources Corp. is **GRANTED**.
3. Plaintiff's request for oral argument ((Docket No. 160) is **DENIED**.

/s/George Z. Singal

U.S. District Judge

Dated: September 22, 2009